

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 20-cr-20599
Hon. Matthew F. Leitman

v.

D2, CORY JUSTIN MANN, and
D8, RACHEL DIANE LOCRICCHIO,

Defendants.

**ORDER GRANTING GOVERNMENT'S UNOPPOSED MOTION TO
VACATE FINDINGS MADE BY THE COURT AS TO FBI AGENT LUKE
MIRABELLA ON MAY 15, 2024 (ECF No. 621)**

On May 15, 2024, the Court orally granted a motion by Defendants Cory Mann and Rachel Locricchio to dismiss the indictment. In connection with that ruling, the Court made certain factual findings concerning, among other things, FBI Agent Luke Mirabella, and the Court placed those findings on the record during the May 15, 2024 hearing. The Government has moved the Court to vacate its factual findings as to Agent Mirabella. (*See* Mot., ECF No. 621.) Mann and Locricchio have filed responses to the Government's response in which they (1) offer competing views of some of the matters addressed in the Government's motion but (2) state that they do not oppose the relief sought by the Government. (*See* Resp., ECF Nos. 623 & 624.) The Court has carefully reviewed the Government's motion and the

Defendants' responses, and the Court is persuaded that the proper course of action under the circumstances is to **VACATE** the factual findings as to Agent Mirabella. Accordingly, the factual findings made by the Court on May 15, 2024, as to Agent Mirabella are **VACATED**.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: November 26, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on November 26, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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